

STATE OF TENNESSEE

Office of the Attorney General



RECEIVED

2003 SEP -8 AM 8:39

T.R.A. DOCKET ROOM

**ANDY D. BENNETT**  
CHIEF DEPUTY ATTORNEY GENERAL

**LUCY HONEY HAYNES**  
ASSOCIATE CHIEF DEPUTY  
ATTORNEY GENERAL

**PAUL G. SUMMERS**  
ATTORNEY GENERAL AND REPORTER

MAILING ADDRESS

P.O. BOX 20207  
NASHVILLE, TN 37202

**MICHAEL E. MOORE**  
SOLICITOR GENERAL

CORDELL HULL AND JOHN SEVIER  
STATE OFFICE BUILDINGS

TELEPHONE 615-741-3491  
FACSIMILE 615-741-2009

September 8, 2003

Chairman Deborah Taylor Tate  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

**Re: APPLICATION OF NASHVILLE GAS COMPANY, A DIVISION OF PIEDMONT  
NATURAL GAS COMPANY, INC. FOR AN ADJUSTMENT OF ITS RATES AND  
CHARGES, FOR APPROVAL OF REVISED TARIFFS AND APPROVAL OF REVISED  
SERVICE REGULATIONS, Docket # 03-00313**

Dear Chairman Tate:

When the Consumer Advocate filed its Motion for a New Scheduling Order, or in the Alternative to Strike and Exclude the Testimony of Ronald A. Johnson, Ronald B. Edelstein, and David J. Dzuricky we attached the wrong letter agreement as an exhibit. Attached is a copy of the letter we initially intended to include in the filing. It is a July 21, 2003 correspondence from James H. Jefferies, IV to Joe Shirley.

Additionally, we would like to correct an omission on page six (6) of the motion by adding the words "three (3) full" before the word "business" in the first complete sentence on the page. An additional thirteen copies of this letter with an attachment is enclosed. Please file in the above docket. All parties to this docket will be served with a copy via fax or hand delivery.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy C. Phillips".

Timothy C. Phillips  
Assistant Attorney General

Enclosures

68586

LAW OFFICES

**NELSON MULLINS RILEY & SCARBOROUGH, L.L.P.**

A REGISTERED LIMITED LIABILITY PARTNERSHIP

JAMES H. JEFFRIES IV  
(704) 417-3103

INTERNET ADDRESS: JJ5@NMRS.COM

BANK OF AMERICA CORPORATE CENTER  
SUITE 2400  
100 NORTH TRYON STREET  
CHARLOTTE, NORTH CAROLINA 28202-4000  
TELEPHONE (704) 417-3000  
FACSIMILE (704) 377-4814  
WWW.NMRS.COMOTHER OFFICES:  
ATLANTA, GEORGIA  
CHARLESTON, SOUTH CAROLINA  
COLUMBIA, SOUTH CAROLINA  
GREENVILLE, SOUTH CAROLINA  
MYRTLE BEACH, SOUTH CAROLINA  
RALEIGH, NORTH CAROLINA  
WINSTON-SALEM, NORTH CAROLINA

July 21, 2003

Mr. Joe Shirley  
Assistant Attorney General  
Office of the Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, Tennessee 37202

Re: Application of Nashville Gas Company, a Division of Piedmont Natural Gas Company, Inc. for an Adjustment of its Rates and Charges, the Approval of Revised Tariffs and the Approval of Revised Service Regulations  
Docket No. 03-00313

Dear Joe:

This letter will confirm our recent conversation regarding questions 1 through 7 of the Consumer Advocate Division's first Data Requests to Nashville Gas Company in the above-captioned proceeding.

In our conversation, we agreed that Nashville is not required to respond to these questions at this time based on the CAD's degree of familiarity with Piedmont's sole outside expert witness, Dr. Donald Murray. Nashville agrees that it will not ask the same or substantially similar questions regarding any witness filing testimony on behalf of the CAD to the extent such witness is a member of the CAD staff.

This agreement shall not affect the ability of either party to propound data requests regarding the basis of any specific testimony presented by witnesses for the opposing party, nor shall it in any way impede the respective parties' rights to ask questions identical or substantially similar to CAD questions 1 through 7 with respect to additional expert witnesses utilized by either party other than Dr. Murray or members of the CAD Staff.



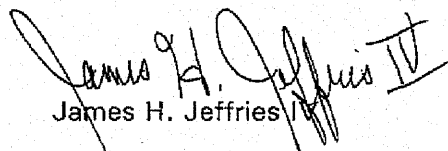
Mr. Joe Shirley

July 21, 2003

Page 2

If you do not agree with my recitation of the terms of our agreement, please contact me immediately.

Sincerely,

  
James H. Jeffries

JHJ/srl



## LAW OFFICES

## NELSON MULLINS RILEY &amp; SCARBOROUGH, L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP  
BANK OF AMERICA CORPORATE CENTER  
SUITE 2400

100 NORTH TRYON STREET  
CHARLOTTE, NORTH CAROLINA 28202-4000  
TELEPHONE (704) 417-3000  
FACSIMILE (704) 377-4814  
WWW.NMRS.COM

## Facsimile Cover Sheet

TO: Joe Shirley FAX No. 615-532-2910  
COMPANY: Consumer Advocate - TN CITY: Nashville  
PHONE No. (615) 741-1671  
FROM: James H. Jeffries IV DID No. (704) 417-3103  
RETURN TO: Becky Olsen FILE No. 02615/09015  
DATE/TIME: July 21, 2003 at 4:05 PM PAGES: 3 including cover sheet  
COMMENTS:

**CONFIDENTIALITY NOTICE:** The information contained in this facsimile message may be attorney privileged and confidential information and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

IF YOU DID NOT RECEIVE ALL PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE

FAX Page 1